

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MARTEZ EUGENE WALKER,

Defendant-Appellant.

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UNPUBLISHED  
October 10, 1997

No. 191788  
Recorder's Court  
LC No. 94-013889 FH

Before: Doctoroff, P.J., and Cavanagh and Saad, J.J.

MEMORANDUM.

While represented by counsel, defendant pleaded guilty to probation violation, which consisted of leaving a drug rehabilitation program without prior permission of the court or his probation officer. On this appeal of right, defendant contends only that his plea was involuntary.

There is no record support for a claim of involuntariness. After defendant's plea was offered and accepted, the probation officer recommended to the court that a new probationary sentence, involving a different drug rehabilitation program, be imposed. The trial court instead ordered an updated presentence report, and then ultimately sentenced defendant to imprisonment. Even assuming the probation officer's recommendation could be construed as a promise of leniency, it came after defendant's plea, not before it. Therefore, it cannot have served as an inducement for the plea so as to have rendered it involuntary when unfulfilled. Accordingly, the trial court's acceptance of the plea constitutes a satisfactory judicial finding that the plea was freely, understandingly and voluntarily made. *Guilty Plea Cases*, 395 Mich 96, 126; 235 NW2d 132 (1975).

Affirmed.

/s/ Martin M. Doctoroff  
/s/ Mark J. Cavanagh  
/s/ Henry W. Saad